

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HITACHI CONSUMER ELECTRONICS
CO., LTD., and HITACHI ADVANCED
DIGITAL, INC.

Plaintiffs,

v.

TOP VICTORY ELECTRONICS (TAIWAN)
CO., LTD., TPV INTERNATIONAL (USA),
INC., ENVISION PERIPHERALS, INC.,
TOP VICTORY ELECTRONICS (FUJIAN)
CO. LTD., TPV ELECTRONICS (FUJIAN)
CO. LTD., TPV TECHNOLOGY LTD., and
VIZIO, INC.,

Defendants.

and

VIZIO, INC.

Counterclaim-Plaintiff,

v.

HITACHI, LTD., HITACHI CONSUMER
ELECTRONICS CO., LTD., HITACHI
ADVANCED DIGITAL, INC., HITACHI
AMERICA, LTD., and HITACHI HOME
ELECTRONICS (AMERICA), INC.

Counterclaim-Defendants.

CIVIL ACTION NO. 2:10-CV-260-JRG

JUDGE: RODNEY GILSTRAP

**UNOPPOSED MOTION TO AMEND THE DOCKET CONTROL
ORDER TO ALLOW THE DEPOSITION OF MICHAEL SPIRO TO
PROCEED AFTER THE FACT DISCOVERY DEADLINE**

Top Victory Electronics (Taiwan) Co., Ltd.; TPV International (USA), Inc.; Envision
Peripherals, Inc.; Top Victory Electronics (Fujian) Co., Ltd.; TPV Electronics (Fujian) Co., Ltd.;
and TPV Technology Ltd. (collectively "TPV"), VIZIO, Inc. ("VIZIO"), and Hitachi Consumer

Electronics Co. Ltd.; Hitachi Advanced Digital, Inc.; Hitachi, Ltd.; Hitachi America, Ltd.; and Hitachi Home Electronics (America), Inc., (collectively, “Hitachi”) (Vizio, TPV, and Hitachi are collectively, the “Parties”) respectfully request modification of the June 7, 2012, Amended Docket Control Order (DI 97) to extend the fact discovery deadline for the limited purpose of taking the deposition of Michael Spiro. Mr. Spiro lives in England and his deposition was previously scheduled for October 31, 2012 in New York. Due to Hurricane Sandy and a family emergency, Mr. Spiro’s deposition had to be cancelled. The next available date for Mr. Spiro and the parties’ counsel is December 3, 2012. Consequently, the Parties respectfully request that the Court amend the Amended Docket Control Order’s November 19, 2012 fact discovery deadline to December 3, 2012 to enable the Parties to take the deposition of Mr. Spiro.

Dated: November 21, 2012

Respectfully submitted,



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TPV Electronics (Fujian) Co., Ltd., Top Victory
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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who have consented to electronic service, Local Rule CV-5(a)(3)(A), on this 21st day of November, 2012.

/s/ Vision L. Winter
Vision L. Winter

CERTIFICATE OF CONFERENCE

I certify that counsel for the parties have complied with the meet and confer requirement in Local Civil Rule CV-7(h). The conference required by Local Civil Rule CV-7(h) was conducted on November 20, 2012, and VIZIO and Hitachi do not oppose the relief sought in this motion.

/s/ Vision L. Winter
Vision L. Winter

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